

**From:** Stephanie Dunlap  
**To:** Dale Harber  
**Date:** 4/15/2005 4:13:53 PM  
**Subject:** Bear Canyon (N05-46-1-1) DOGM Violation

Attached you will find the state violation that was issued by DOGM staff.

Bear Canyon, C/015/025, 04/15/2005, N05-46-1-1, Failure to...submit 4th quarter (2004) water monitoring information.

If you need a signed hard copy of any violation, please do not hesitate to contact me. Thank you.

Stephanie Dunlap  
(435) 613-1146 x 200  
[stephaniedunlap@utah.gov](mailto:stephaniedunlap@utah.gov)

**CC:** Carter Reed; James Kohler; Pam Grubaugh-Littig; Robert Herbert; Sheila Morrison; Walter Baker



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notice of violation

NO. N05-46-1-1

"Failure to Submit Water Monitoring Information"

To the following Permittee or Operator:

Name C.W. Mining Co. / CO-OP Mining Company  
 Mine Bear Canyon Mines ☐ Surface ☒ Underground ☐ Other  
 County Emery County State Utah Telephone (435) 687-2450  
 Mailing Address P.O. Box 1245  
 State Permit No. 0/015/025  
 Ownership Category ☐ State ☒ Federal ☐ Fee ☒ Mixed  
 Date of inspection 4/15/2005 19  
 Time of inspection 136 ☐ a.m. ☒ p.m. to 230 ☐ a.m. ☒ p.m.  
 Operator Name (other than Permittee) NA  
 Mailing Address NA

Under authority of the Utah Coal Mining and Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated*, 1953, the undersigned authorized representative of the Division of Oil, Gas & Mining has conducted an inspection of above mine on above date and has found violation(s) of the act, regulations or required permit condition(s) listed in attachment(s). This notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that **cessation of mining is** ☐ **is not** ☒ expressly or in practical effect required by this notice. For this purpose, "mining" means extracting coal from the earth or a waste pile, and transporting it within or from the mine site.

This notice shall remain in effect until it expires as provided on reverse side of this form, or is modified, terminated or vacated by written notice of an authorized representative of the director of the Division of Oil, Gas & Mining. Time for abatement may be extended by authorized representative for good cause, if a request is made within a reasonable time before the end of abatement period.

Date of service/mailling 4/15/2005

Time of service/mailling 230 ☐ a.m. ☒ p.m.

Mark Reynolds  
 Permittee/Operator representative

Permitting Co-ordinator  
 Title

Mailed / FAXed from PFO, DOGM  
 Signature

Peter Hess  
 Division of Oil, Gas & Mining representative  
Peter Hess  
 Signature

Environmental Scientist III  
 Title  
#46  
 Identification Number

SEE REVERSE SIDE

WHITE-DOGM YELLOW-OPERATOR PINK-OSM GOLDENROD-NOV FILE

DOGM/NOV-1

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## NOTICE OF VIOLATION NO. N05-46-1-1

"Failure to Submit Water Monitoring Information"

Violation No. 1 of 1

## Nature of violation

1) Failure to submit all required surface and ground water monitoring data for the Bear Canyon permit area for the fourth quarter of 2004 in a timely fashion, (i.e., by March 31, 2005 or the end of the quarter following the monitoring period).

## Provisions of act, regulations or permit violated

1) R645-301-731.212, Groundwater Monitoring for monitoring points SBC-9A and SBC-11.  
 2) R645-301-731.223, Surface water monitoring data for surface water monitoring sites MH-1, and UPDES outfalls 002A, 003A, 006A, and 007A for October, November and December 2004.

## Portion of operation to which notice applies

1) Surface Water sheds, sediment pond outfalls and sub-surface water sheds of the Bear Canyon Mines permit area.

## Remedial action required (including any interim steps)

1) Submit the required surface and groundwater monitoring information to the DOGM electronic data web site for monitoring points SBC-9A, SBC-11, MH-1, and UPDES outfalls 002A, 003A, 006A, 007A for October 2004, November 2004 and December, 2004.

## Abatement time (including interim steps)

1) The aforementioned required information must be submitted by April 29, 2005 @ 17:00 Hours.

WHITE-DOGM YELLOW-OSM PINK-PERMITTEE/OPERATOR GOLDENROD-NOV FILE

DOGM/NOV-2

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11/85